

**Enrolled Memorandum of the Meeting
Study Session/Meeting Convened Electronically
Twenty-Ninth Town Council of Highland
Monday, June 01, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met *electronically* in a study session on **Monday, June 01, 2020** at 6:35 O'clock P.M., in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.*

**Special note:* This meeting was convened allowing members of the Town Council to participate electronically without being physically present, be counted in the quorum and able to simultaneously listen and respond to matters taken up in the meeting, all pursuant to Governor Holcomb's Executive Orders 20-04 and 20-09 extended by Executive Order No. 20-25 allowing meetings to be convened pursuant to IC 5-14-1.5-3.6 for the duration of the Corona Virus COVID 19 emergency. Social distancing and sheltering in place were also ordered by the Governor as part of slowing the spread of the virus.

The meeting was streamed live on the Town of Highland, Indiana Facebook Page and participation was supported by the Zoom on-line communication platform.

Silent Roll Call: Councilors Bernie Zemen (participating electronically), Mark Herak (participating electronically but on the premises), Mark J. Schocke (participating electronically) Thomas Black (participating electronically) and Roger Sheeman (participating electronically) were present as indicated. The Clerk-Treasurer, Michael W. Griffin was present (participating electronically but on the premises) to memorialize the proceedings. A quorum was attained.

Officials Present: (all participating electronically), John P. Reed, Town Attorney; Pete Hojnicki, Police Chief; Kathy DeGuilio-Fox, Redevelopment Director; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and William R. Timmer, Jr., CFOD, Fire Chief were present.

Additional Officials Present: Larry Kondrat and Rick Vollbrecht of the Board of Waterworks Directors; and Ed Dabrowski, IT Consultant (Contract); was present.

Guests: Theresa Badovich of the Idea Factory; Jennifer Hudson, Partner, with London Witte Group, LLC were also present participating electronically.

General Substance of Matters Discussed.

1. *Discussion with Jennifer Hudson of London Witte Group regarding financial analysis regarding possible refunding bonds for First Mortgage Bonds of the Lincoln Community Center Building Corporation; Sanitary District Bonds (BABS).* The Town Council, The Town Clerk-Treasurer and Jennifer Hudson from London Witte Group, LLC, discussed the financial analysis Ms. Hudson performed regarding the possible savings from a refunding of the callable First Mortgage Bonds of the Lincoln Community Center, which maturities became callable after February 1, 2020, and several series of the Bonds of the Sanitary District, which become callable after August 1, 2020.

Ms. Hudson reported that her analysis confirmed a savings of around 6% of net present value, allowing for costs associated with issuance being deducted and subtracting the loss from future Federal credit payments for the Build America Bonds (BAB's) that the Town is receiving.

She further noted that the Government Finance Officers Association recommends for refunding that there be at least three percent (3%) net savings. She further revealed that these were running at 6%.

The discussion focused on the cash balance on deposit to credit the trust funds (accounts) of the Trust agency (Wells Fargo) accumulated from retaining the years of BABs credits paid to the trust from the Federal Government in consequence of the BABs financing. It was noted that as of May 31, 2020, there was \$1,248,929.90. It was further noted that as part of the savings from the refunding, one scenario presented by Ms. Hudson was the use of these proceeds to buy some of the remaining maturities with the balance to paid by issuing refunding bonds. She also prepared a scenario that considered savings if none of the BABs credits were used. While there were savings, they were slightly less without the use of the BABs credits.

It was noted that the term for repayment of the refunding bonds for the First Mortgage Bonds of the Lincoln Community Center Building Corporation and the Sanitary District Bonds would be coextensive with the timetable for repayment for the current maturities, all would be at less than 10 years. The Town Council, Ms. Hudson and the Clerk-Treasurer also discussed that as refunding bonds, these could be sold at a negotiated sale and perhaps would be marketable to the several local banks, which would lower costs of issuance.

The Town Council, the Clerk-Treasurer and the Parks and Recreation Superintendent discussed the desirability of using all of the proceeds to accomplish the savings for the refunding. The parks and recreation superintendent stated that he identified the need to replace owing to useful life the rooftop HVAC system for the Fieldhouse and the Fitness Center equipment. He also hoped to have a contingency component as well. It was estimated at \$500,000.

The Town Clerk-Treasurer stated that the policy choices presented were to move forward with the refunding, which he recommended based upon the savings, the lower annual tax levy needed to finance the refunding, and that the maturities would be within the timetable for retirement of the existing bonds and whether to use all or a portion of the BABS proceeds to support the refunding of the Lincoln Community Center Bonds. While no vote was taken, the consensus was to proceed with the refunding and to allow all but \$500,000 of the accumulated BABS credits be used to support the financing.

Ms. Hudson indicated that she would provide a revised savings analysis for the Lincoln Community Center Building Corporation First Mortgage Bonds refunded using all but \$500,000 of the BABS credits.

2. *Discussion possibly with organizer/promoter of special interest festival.* The Town Council President reviewed the initial outreach from Mr. Chris Skilnik regarding a possible festival called "Vet Fest." The Town Council President relayed that the group sponsoring it, Vet Fest 141 Foundation is a 501(c)(3) not for profit organization.

The Town Council President hoped that Mr. Skilnik would accept his invitation to join in discussing the prospect of hosting the event in Highland. The Town Council President stated that Mr. Skilnik represented that such an event is a festival with live music and carnival rides that occurs in Oswego, IL every year. The Town Council President further reported that Mr. Skilnik explained that he would like to move the festival to Indiana because of the restrictions in place in Illinois.

Typically, his festival is held the 3rd week of August and is sponsored / promoted by US 99 (a huge Chicago Country radio station). It looks like they will cover all of the band costs and food contracts. The discussion included a discussion of where such an event could be hosted, whether it was for Main Square or for perhaps North Township. There was no further discussion.

3. Discussion of enrolled draft transition plans for the Opening certain municipal facilities: *Indiana Governor Executive Order No. 2020-26 Section 4 (a) set forth a requirement for a written plan describing measures and safeguards to ensure a safe environment for the employees, customers, clients and members. The plan shall be provided to each employee or staff and posted publicly. It expressly requires the following four elements be included:*

- i) Instituting an employee health screening process;
 - ii) Employing enhanced cleaning and disinfecting protocols for the workplace, including regularly cleaning high-touch surfaces;
 - iii) Enhancing the ability of employees, customers and clients to wash hands or bike other personal hygiene measures such as use of hand sanitizer;
 - iv) Complying with social distancing requirements established by the CDC, including maintaining six-foot social distancing for both employees and members of the general public when possible and/ or employing other separation measures such as wearing face coverings or using barriers; and
- It is conceived presently that a general policy (town wide) would attain for workers performing administrative and clerical functions.
 - Then there would be specific additional policy for the workers whose functions are unique such as public works, fire department, police department and Parks and Recreation.
 - It is also expected that there will be a special set of policies for recreation and related programmed activities of the parks and recreation department dealing with participant safety.

The Town Council discussed the revised draft policy submitted by the Clerk-Treasurer that would be used as the Town re-opened its facilities to the public limited to the Town Hall and the other departments confined to the administrative functions. It was again noted that each department would still be responsible for specific written policies that pertain to particular functions that are unique to their departments and are not administrative in nature.

The discussion included a discussion of once the policy was approved, when should the Town Hall be opened. It was further noted that the Lincoln Community Center opened on this day (Monday, June 1, 2020). The Parks and Recreation Superintendent reported that 72 persons had used the fitness center that day.

The Town Council further discussed whether there should be a requirement for visitors to wear a mask or rather strongly urge it. The language in the policy would be revised to strongly urge the use of masks for visitors and the public. The discussion suggested that the Town Hall might be ready for public visitors on June 15. The policy as discussed follows:

TOWN of HIGHLAND WORKPLACE SAFETY MEASURES

A workplace plan that is in force when a national, state or regional public emergency is in effect involving a public health contagion. (A plan to safely transition from closed campus and physical plant to incrementally opened.)

This plan is constructed to at once preserves a safe work environment, foster and protect continuity of government, protect critical functions and optimize in the context of these objectives, quality service to residents of the Town.

The Corona Virus COVID 19 is highly contagious and has particularly adverse impacts on human beings.

While gradually relaxing the municipal building closure, the following steps will be taken to ensure the plan and extend and continue services. The following is policy for workers in all municipal facilities of the Town of Highland, performing administrative, clerical and support services. Except for those departments with discretely described additional requirements, these practices shall be observed by all employees:

1. Employee screening process

- (a) All employees are required to monitor their own health conditions. It is mandatory that employees perform a self - check of any symptoms of illness. This includes but is not limited to symptoms of fever, shortness of breath, sore throat, body aches, loss of smell to list a few. (If you experience any signs of illness, stay home and contact your Supervisor or their designee). A checklist will be provided to assist with the monitoring.
- ~~(b) (Alt. 1) Workers at entrance will be screened for temperatures. 100 or greater, segregate the worker, directing the worker to return home and to seek medical attention.~~
- (b) (Alt 2) All employees will be required to perform daily body temperature checks before coming to work. Employees are expected to take their temperature and ensure they are within normal range. Once employees arrive at work, you will be required to acknowledge you took your temperature and it was less than 100 degrees Fahrenheit. **Employees will sign off on a brief survey of condition as part of screening.**
- (c) A daily log will be maintained by each department that lists the employee by name, the employee's temperature before coming to work and the time of taking the temperature. The employee will sign the log.

2. Enhanced cleaning and protective practices

- (a) At the end of each work-day, all surfaces will be wiped down with appropriate cleaning anti-viral wipes. Doorknobs, telephones, computer keypads, copiers and light switches too will be cleaned. *A Checklist will be provided to verify the tasks are completed.*
- (b) A record or log of cleaning will be maintained by department or office.
- (c) After every customer interaction, surface where customer was served shall be wiped down.
- (d) If an employee has a temperature more than 100 degrees Fahrenheit, the employee shall remain stay at home and contact your Supervisor or designee. Your Doctor or Health Care Provider should also be contacted for further direction.
- (e) High Risk employees will be encouraged to remain at home and work remotely, if possible. *(High Risk employees are employees 65 years of age or older and those with pre-existing conditions, such as COPD, asthma or any condition that affects immune response.)*
- (f) If an employee has been in close contact with others while off from work (at home or in the Community) and they have symptoms of COVID - 19, contact your Supervisor or their designee prior to returning to work, as you may be subject to self-quarantine. If there has been contact, worker may be asked to monitor for up to seven days, with the final three days being symptom free including no fever without using any anti-fever medication.
- (g) If a worker has symptoms of COVID – 19 , the worker will be required to self-quarantine for a least (14) days and the last (3) days with zero symptoms, unless you have a negative test result, then you might return after (7) days, with the final three days with days with zero symptoms and or in accordance with CDC guidelines.
- (h) Wipe and wash always. Hand sanitizers dispensers shall be at the primary entrances and near the access points for major offices at conference room (upper chamber).
 - (i) For Town Hall: Hand sanitizers at entrance to redevelopment, entrance to building and inspection and inspectors rooms, and for Office of Clerk-Treasurer.
 - (ii) For Police Station: _____
 - (iii) For Central Fire Station: _____

(iv) For Public Works Facility: _____

(v) For Lincoln Community Center: _____

(vi) For Fire Station 2: None

(vii) For Meadows Park Office: _____

(viii) All workers are highly encouraged to wash hands with soap and water for at least 20 seconds at each break and as frequently as possible.

(ix) If soap and water are not available, use hand sanitizer that contains at least 60% alcohol, as provided by the workplace.

(x) Other important workplace practices that employees are highly encouraged to observe include: • Avoid touching your face (Eyes, nose, mouth, etc.) with unwashed hands • Cover your mouth and nose with a cloth face cover (mask) while around others • Employees shall not congregate around another's work area and to continue to observe social distancing of at least 6 feet of distance.

(i) Workers who count or receive cash or checks shall use appropriate latex, or high-tactile surgical gloves.

(j) If a client or meeting is necessary, all will be convened in a large room as identified below, always, observing the social distancing guidelines, including maintaining six feet or more distance.

(i) For Town Hall: Plenary meeting room.

(ii) For Police Station:

(iii) For Central Fire Station:

(iv) For Public Works Facility:

(v) For Lincoln Community Center:

(vi) For Fire Station 2: No meetings to be convened

(vii) For Meadows Park Office: no meetings to be convened

(k) Employer will take steps to install sneeze guards and pedestrian routing measures from the front door to the referenced greeting counter.

(l) For all bathrooms, **appropriate touchless soap dispensers** shall be installed that can be regularly refilled; ~~Appropriate hand dryers that are~~ **touchless towel dispensers** will be installed as well. These will be permanent.

3. Visitor and guest management and safety

(a) All departments should have conspicuously identified pedestrian routing that designates increments of six feet for social distancing paths for residents and guests to observe as they move through a facility.

(b) As much as is possible, should public access be restored for administrative meetings or customer transactions, as much as possible try to have meetings by appointment.

(c) Where meetings by appointment are not practicable, **and in all other cases**, all public buildings must have a designated staging area, for no more persons than three (3) or less always segregated by six feet social distance guidelines.

(d) In all cases whether by appointment or not, the parking lots shall serve as a waiting room. Visitors and guests will be instructed to call when they have arrived providing a contact number for the employee to call back. As a service queue becomes available, the resident, guest or visitor will be called to come in greeted by a specified worker.

(e) When dealing with guests, residents, and visitors, ~~both employees and the visitors~~ shall be provided appropriate face mask to wear for the extent of the visit. **Employees are required to wear facial masks while**

serving customers, and while moving in office. While at desk, masks may be removed. Facial masks if possible, should be disposable and discarded in a special canister or collection bin.

- (f) Guests, residents, and visitors will be ~~(required)~~ **highly encouraged** to wear a mask when interacting in any public building.
- (g) Signage be conspicuously displayed reminding all to practice social distancing of 6 feet or more, and wear masks, avoid touching face, and frequent hand-washing (as directed by CDC guidance and OSHA.)
- (h) Any part of this policy that is in conflict with CDC guidelines or OSHA requirements is void.

In addition to the foregoing, the following discrete department or functional practices are made policy:

Public works Street/water/sanitation

Fire Fighters

Police

Parks and Recreation

Code Enforcement and Inspections

Pursuant to the Indiana Governor's Order No. 20-26, Section 4 through Section 5, this plan is developed to be posted and issued to all workers of the Town of Highland.

4. ***Possible new Town Executive Order outlining new protocols regarding extension of waiver of late charges for utilities.*** It was noted that the current waiver/moratorium ended May 22. It was further noted that the emergency proclamation expired May 25.

The Town Council President, the Town Council and the Clerk-Treasurer discussed the merits of extending the moratorium on delinquent and late charges for the utilities. Noting that the current Order of the Town Council President imposing the current moratorium, would expire on May 22. After further discussion, it was suggested that a final extension to September 30, 2020, would be desirable.

The discussion included the need for the Town Council to pass an enactment to approve the authority of the Town Council President, which expired under the prior order on May 25. There was general agreement to re-authorize the emergency proclamation of the Town Executive, to support an order regarding the utilities' late charges moratorium extension and to support such measures related to the MCCD Fund to bolster the Park General Fund and the Motor Vehicle Highway Fund.

5. ***Discussion regarding Resolution 2020-23 Temporary loans for Debt Service Funds.*** The Town Clerk-Treasurer reviewed the need to seek additional temporary loans for cash flow for the debt service funds, with payments becoming due on June 30, July 15 and August 1. It was reviewed without comment.
6. ***Discussion and review of cash flows in certain operating funds.*** The Town Clerk-Treasurer reviewed very briefly the cash reports prepared from January 1 through April 30 for the Corporation General Fund, the Parks and Recreation Fund and the Motor Vehicle Highway (MVH) Fund. It was noted that for the first two funds, there was still significant retention of reserve fund balance. It was further noted that there was no formal reserve for the MVH Fund and that owing to likely reduction in budgeted revenues owing to economic slowdown associated with sheltering in place, this fund would need to have some exogenous support.

7. *Discussion of setting an executive session to discuss whether to join a lawsuit challenging legal basis of IC 6-9-2 et seq, the Innkeeper Tax Law for Lake County.* The Town Council President, the Town Council and the Town attorney discussed the merits of whether to file an amicus brief in this lawsuit as described. It was noted that no decision was required before August.

The Town Council President that under the provisions of IC 6-9-2 et seq, the Town only receives \$4,800 per year at a maximum from the Innkeeper Tax. Further it was noted that besides the economic consideration, there is the policy consideration that if the law is ruled unconstitutional, the Town Council would lose a representative on the governing board of directors of the Lake County Convention and Visitors Bureau.

The Town Council discussed then the possibility of simply joining with an existing amicus brief that might be likely filed by one of the larger beneficiaries of the current Lake County Innkeeper Law, including Indiana University Northwest, Purdue Northwest, and the City of Gary.

8. *Ordinance to amend the municipal code establishing an honorific display policy for the Town.* (Still being drafted) The Town Attorney noted that his version revised after suggestions from a colleague who specializes in First Amendment issues, was being reviewed again. He suggested that once returned he would try to circulate the iteration for Council review in the near future.

There being no further business necessary or desired to be discussed by the Town Council, the *electronically convened* regular study session of the Town Council of **Monday, June 01, 2020**, was adjourned by the Town Council President, at 8:35 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer